

# **Article 2: Districts**

## **Division 5: Enviromental Land**

**Section 245 Intent**

- a. Lake Superior Shoreline Protection Overlay (LSSP)
  - 1. The Lake Superior Shoreline Protection Overlay District is intended to protect the natural environment and preserve the natural beauty of the lake shore areas adjacent to Lake Superior in the City of Munising.
  - 2. The Lake Superior Shoreline Protection Overlay District includes all land lying within the 1986 U.S. Army Corps of Engineers High Water Mark within areas zoned as either L-1 or L-2 as depicted on the Official Zoning Map for the City of Munising.
  - 3. This boundary extends across all underlying zoning districts.
- b. Public Lands (PL)
  - 1. The Public Lands District is established to preserve areas for certain public uses; to continue to protect and maintain low intensity activities and public enjoyment and ecological conservation.

**Section 246 Lake Superior Shoreline Protection Overlay District Regulations**

- a. The uses allowed by the underlying zoning districts are not altered by the overlay.
- b. All allowable uses that occur within the shoreline protection overlay zone shall comply with the provisions of this section.
- c. These requirements shall be considered in addition to restrictions or other applicable regulations for each zoning district.
- d. In the event that regulations imposed by this Ordinance conflict with regulations of an underlying zoning district, the regulations of this section shall prevail to the extent of the conflict and no further.
  - 1. All structures proposed to be built within the shoreline protection overlay district shall be set back according to the requirements below, except for the following uses:
    - a) recreational docks
    - b) storm water and erosion control devices
    - c) picnic tables
    - d) benches
    - e) recreational watercraft
    - f) stairways
    - g) walkways and
    - h) boat hoists

## City of Munising Zoning Ordinance

2. No principal structure or accessory structure shall be allowed within 75 feet of the ordinary high-water mark, however, if an existing pattern of development exists, the Zoning Administrator may allow new homes to be built closer than 75 feet at the same setback as the average setback of neighboring homes, but no closer than 50 feet.
3. On lots with coastal wetlands, a setback of at least 75 feet shall be maintained from the wetland or as required by the U.S. Corps of Engineers and the Michigan Department of Environment, Great Lakes, and Energy (EGLE).
4. To protect water quality and shoreline habitat, preserve scenic and aesthetic character, and control erosion and flooding, a shoreline nature buffer zone shall be maintained 25 feet landward of the Ordinary high- water mark. The nature buffer zone with native shoreline species shall serve as a natural transition between the shoreline and adjacent upland development.
5. The following standards apply to all uses within the shoreline nature buffer zone
  - a) One viewing and access corridor is permitted per 100 feet of water frontage per lot. It shall be no more than 30 feet wide in the dimension paralleling the shore and shall be set back at least 10 feet from the side lot line. In the case of a lot less than 100 feet in width, the viewing and access corridor shall be reduced proportionally.
  - b) Within the viewing and access corridor selective removal of vegetation is permitted. It is encouraged that sufficient vegetation is retained to screen development from view and provide a filtered view of the water.
  - c) Walkways, stairs, and paths must be located in the viewing and access corridor unless such location is not feasible due to steep slopes, wet soils, or similar conditions. Piers, recreational docks, and boat-hoists must be placed in water in line with the viewing corridor.
  - d) Within the shoreline nature buffer zone (excluding the viewing and access corridor), clear-cutting of trees, ground cover and shrubbery is not allowed; however, thinning is permitted for a screened view.
  - e) Hazardous, dead, diseased or dying trees may be removed within the buffer zone.
  - f) Removal of trees, shrubs, ground cover and other native vegetation shall require review and approval of the Zoning Administrator to ensure impacts to the shoreline resources are minimized.
  - g) Vegetation shall be restored in areas affected by construction activities. Vegetation must be indigenous to the Great Lakes shoreline.
  - h) Temporary vegetation, sufficient to stabilize the soil, may be required on all disturbed areas as needed to prevent soil erosion.

## City of Munising Zoning Ordinance

- i) Stumps of trees cleared or harvested within the vegetative buffer zone must remain undisturbed in the ground.
- j) In cases where native vegetation does not exist within the buffer zone, the landowner is encouraged to replant the buffer zone with native plant species.

### **Section 247 Public Land Regulations**

- a. Any governmental or propriety function conducted by any governmental agency or publicly owned corporation which is authorized to conduct such function.